

STATE OF ALASKA

DEPARTMENT OF NATURAL RESOURCES

DIVISION OF MINING, LAND AND WATER

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File: 535

Subj: Replat and Vacation Policy

The vacation of a platted lot line of record, or the vacation of a Section Line Easement, RS 2477 Rights of Way or Other Easement of Record can only be accomplished in accordance with the following statutory requirements:

- AS 29.40.120 - Vacation or Replat Petition
- AS 29.40.130 - Notice of Public Hearing
- AS 29.40.140 - Hearing and Determination (a Recordable Platting Resolution)
- AS 29.40.150 - Filing of Replats

Section Line Easements and RS 2477 Rights of Way can not be vacated without the approval of the Department of Natural Resources and the Department of Transportation and Public Facilities, and then only in accordance with the provisions of AS 19.30.410.

AS 29.35.090 prohibits local government from vacating a RS 2477 ROW without the approval of DNR and DOT/PF. If the vacation of a RS 2477 ROW were approved by DNR and DOT/PF, the petitioner would be responsible to follow up with the local platting authority in order to meet the requirements of AS 29.40.120 - .150.

General guidelines for situations requiring a replat or vacation petition are:

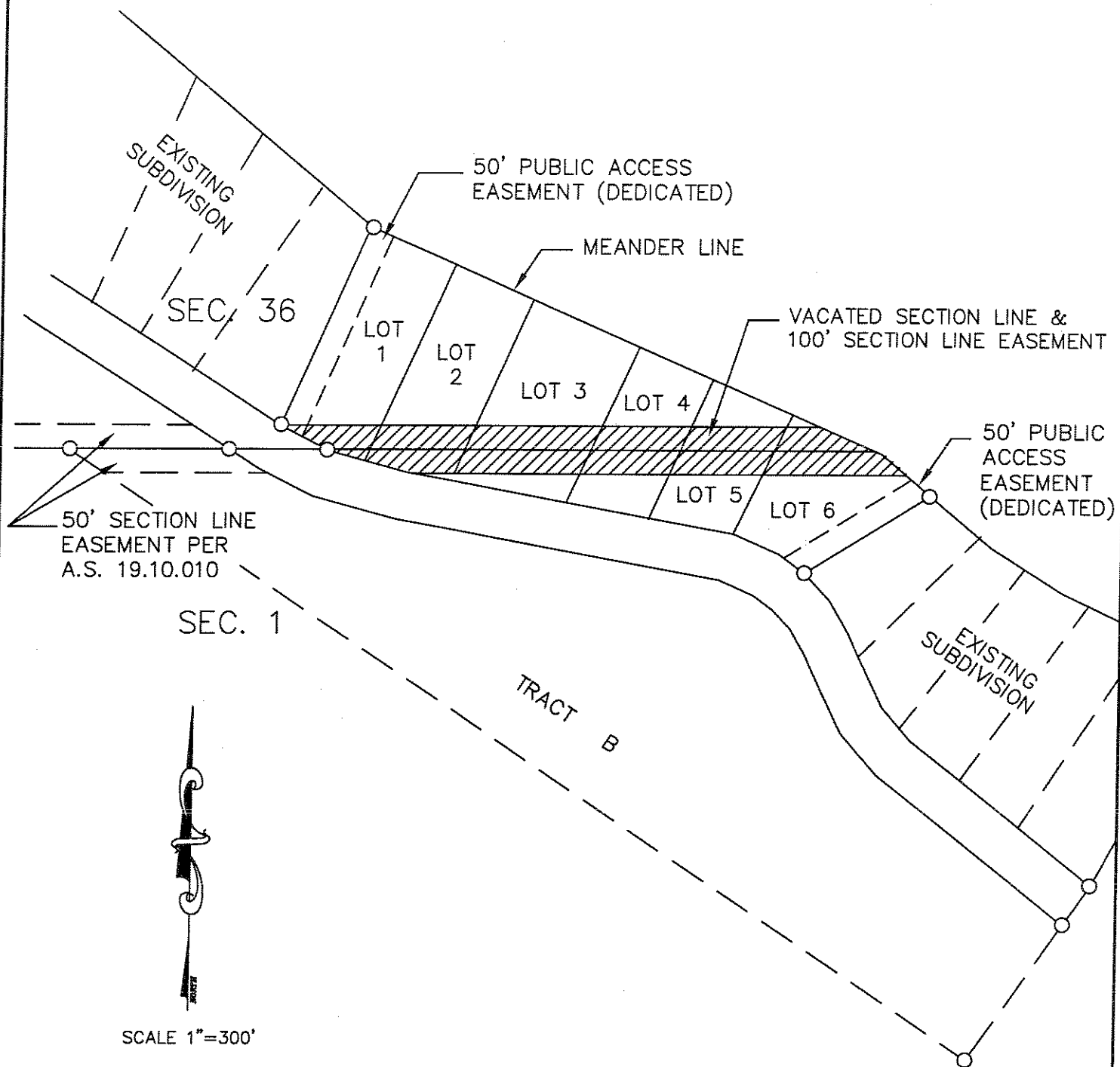
1. If new subdivision lotting overlaps or in any way alters platted lot lines, public easements, or rights of way of record; it is a replat subject to the requirements of AS 29.40.120 - .150 and AS 40.15.300(e).
2. Protracted lot lines, depicted as dashed lines, on GLO or BLM rectangular plats approved by the federal government are lot lines of record and subject to the requirements of AS 29.40.120 - .150 and AS 40.15.300(e) if they are vacated or replatted.
3. Attached are several examples of when a vacation or replat petition is required and when a petition is not required.

Gerald D. Jennings
Statewide Platting Supervisor

Enclosure: Examples of when a Vacation or Replat is required
Copy: Survey Staff

"Develop, Conserve, and Enhance Natural Resources for Present and Future Alaskans."

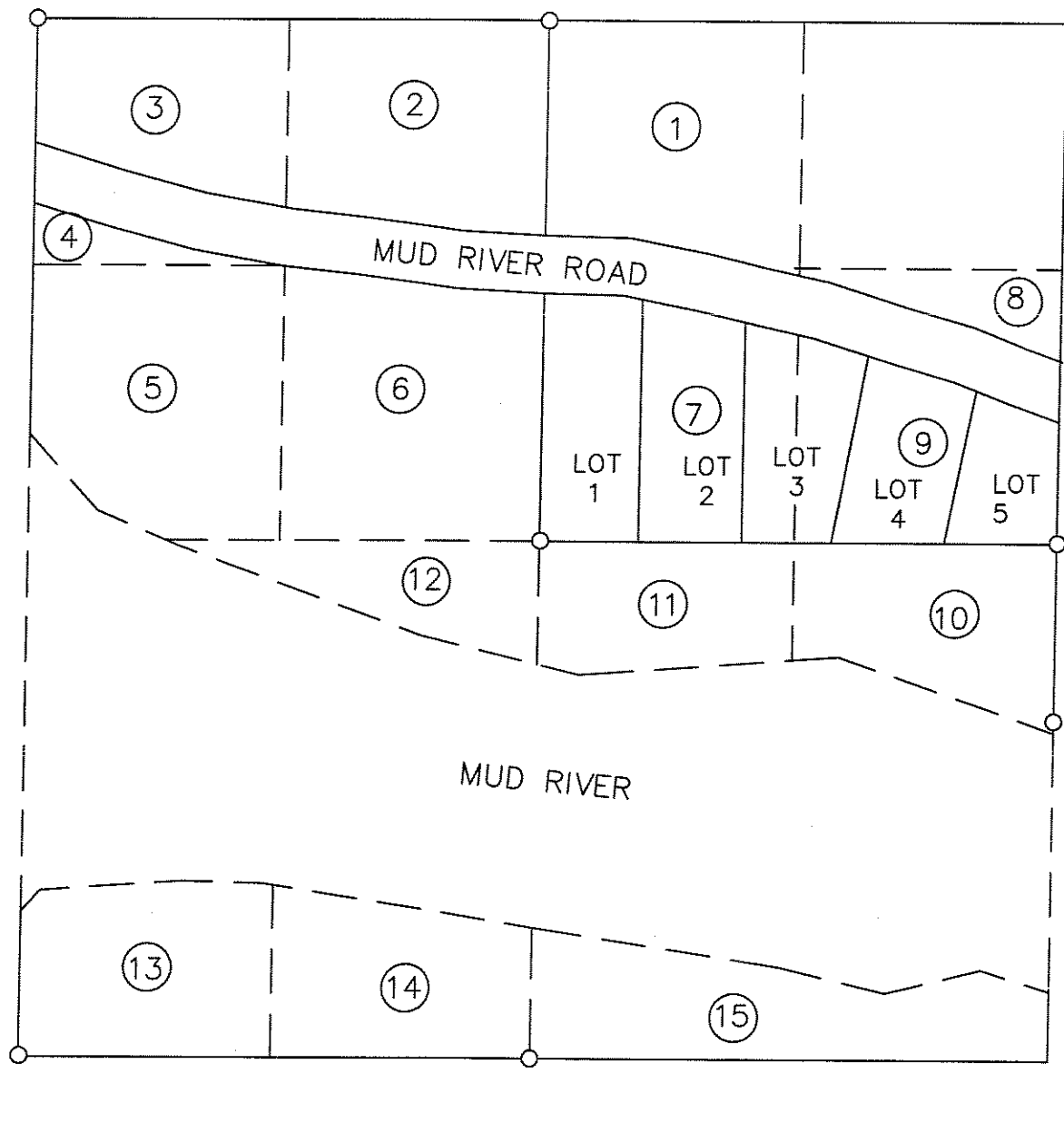
G:\I-Survey Unit Documents\Handouts\EV Petition Forms\Joe-s\Replat_Policy_Letter.doc



EXAMPLE OF AN ACTION REQUIRING A REPLAT AND A
SECTION LINE EASEMENT VACATION

THIS SUBDIVISION WOULD REQUIRE REPLAT ACTION TO VACATE THE SECTION LINE SINCE LOTTING EXTENDS ACROSS THE SECTION LINE. A SECTION LINE EASEMENT VACATION WOULD ALSO BE REQUIRED IN THIS INSTANCE.

SECTION

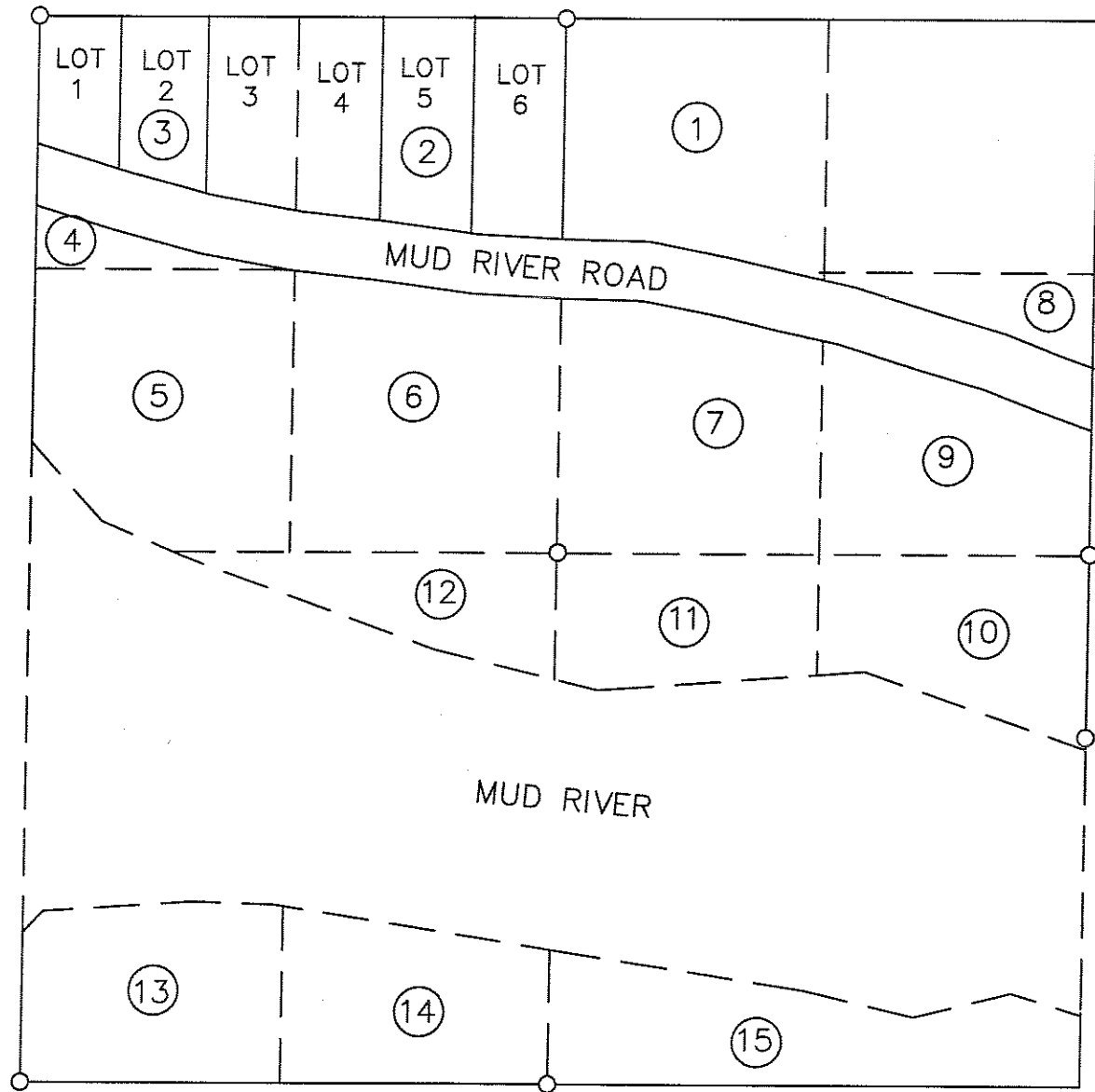


EXAMPLE OF AN ACTION REQUIRING A REPLAT

SCALE 1"=300'

THIS SUBDIVISION WOULD REQUIRE REPLAT ACTION SINCE THE PLATTED LINE COMMON TO GOV'T LOTS 7 AND 9 IS INCLUDED WITHIN NEW LOT 3.

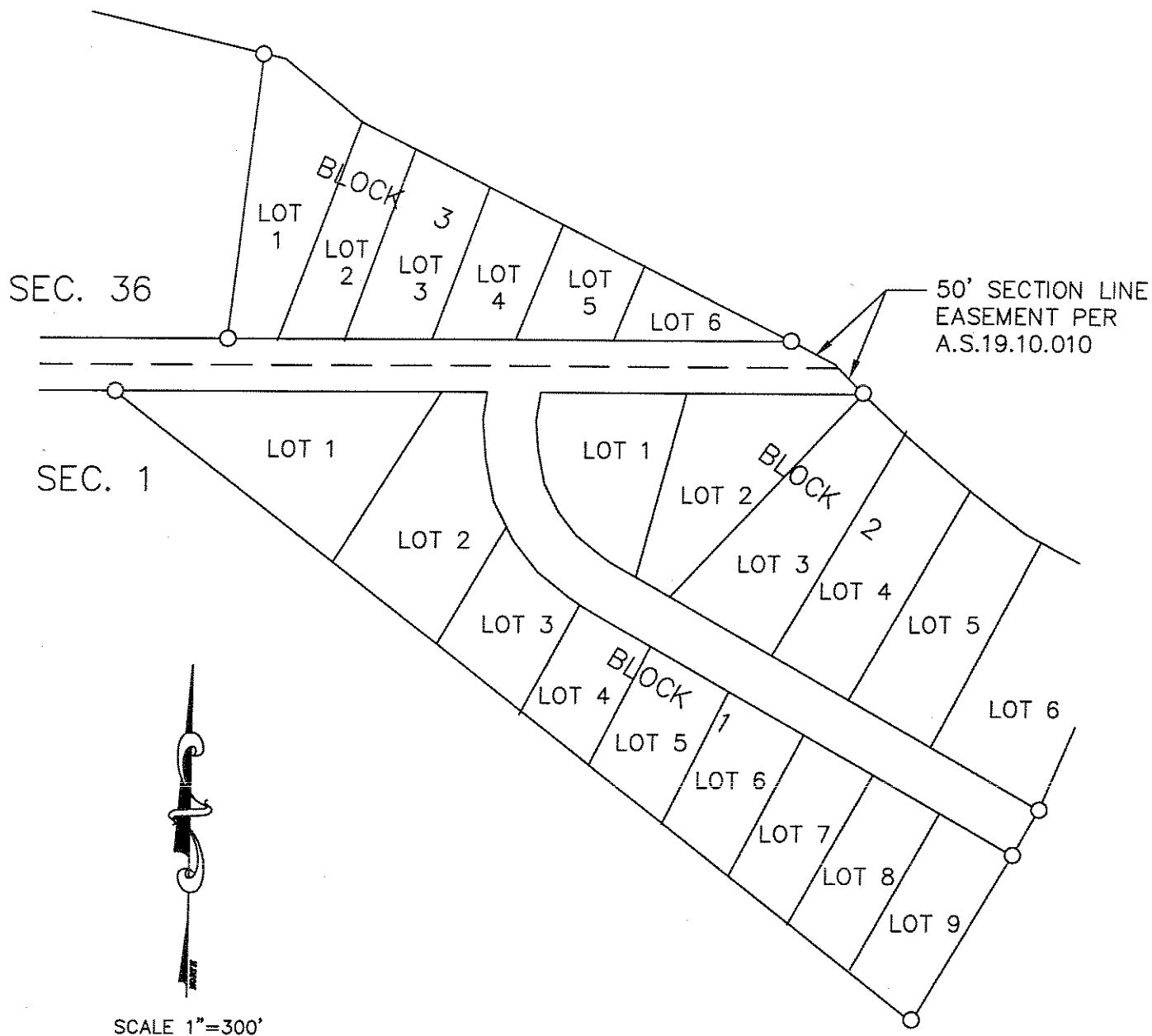
SECTION 22



SCALE 1"=300'

EXAMPLE OF AN ACTION NOT REQUIRING A REPLAT

THIS SUBDIVISION WOULD NOT REQUIRE REPLAT SINCE THE PLATTED LINE COMMON TO LOTS 3 AND 4 IS IDENTICAL TO THE EXISTING LINE COMMON TO GOV'T LOTS 2 AND 3.



EXAMPLE OF AN ACTION NOT REQUIRING REPLAT
OR SECTION LINE EASEMENT VACATION ACTIONS

THIS SUBDIVISION WOULD NOT REQUIRE REPLAT ACTION
 AS THE LOTTING DOES NOT CROSS ANY EXISTING LOT OR
 SECTION LINES. THE SECTION LINE EASEMENT IS UTILIZED
 AS ACCESS TO THE LOTS.